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Attorney for Defendants
Renee Baker, Curtis Kerner, &
Michael Koehn

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JOSE AGUILAR,

Plaintiff,

v.

MICHAEL B. KOEHN, et al.,

Defendant.

Case No. 3:16-cv-00529-MMD-VPC

**DEFENDANTS' MOTION FOR
ENLARGEMENT OF TIME TO RESPOND
TO PLAINTIFF'S CROSS-MOTION FOR
SUMMARY JUDGMENT (ECF No. 37)**

Defendants, Renee Baker, Curtis Kerner, and Michael Koehn (Defendants), by and through counsel, Adam Paul Laxalt, Attorney General of the State of Nevada, and Gerri Lynn Hardcastle, Deputy Attorney General, hereby submit their Motion for Enlargement of Time to Respond to Plaintiff's "Opposition to Defendants' Motion for Summary Judgement and Plaintiff's Cross-Motion for Summary Judgement" (ECF No. 37). This Motion is based on Federal Rule of Civil Procedure 6(b)(1)(B), the following Memorandum of Points and Authorities, and all papers and pleadings on file in this action.

MEMORANDUM OF POINTS AND AUTHORITIES

I. ARGUMENT

Defendants respectfully request a twenty-one (21) day extension of time out from the current deadline (August 17, 2018) to file a respond to the instant Motion (ECF No. 37). Counsel for Defendants is confronted with numerous competing deadlines and a high workload due to staffing changes in the Office of the Attorney General. However, such obstacles are currently being resolved

1 and the requested extension of time should afford Defendants adequate time to file a dispositive motion
2 in this case.

3 Federal Rule of Civil Procedure 6(b)(1) governs extensions of time and provides as follows:

4 When an act may or must be done within a specified time, the court may,
5 for good cause, extend the time: (A) with or without motion or notice if
6 the court acts, or if a request is made, before the original time or its
extension expires; or (B) on motion made after the time has expired if the
party failed to act because of excusable neglect.


7 Defendants' request is timely and its limited nature will not hinder or prejudice Plaintiff's case, but will
8 allow for a more thorough response to Plaintiff's instant Motion (ECF No. 37). The requested twenty-
9 one (21) day extension of time should permit Defendants time to adequately research and draft a
10 response. Defendants assert that the requisite good cause is present to warrant the requested extension
11 of time.

12 For these reasons, Defendants respectfully request a twenty-one (21) day extension of time from
13 the current deadline to file a dispositive motion in this case, with a new deadline to and including
14 Friday, September 7, 2018.

15 DATED this 17th day of August, 2018.

16 ADAM PAUL LAXALT
17 Attorney General

18 By:


19 GERRI LYNN HARDCASTLE
20 Deputy Attorney General
21 Bureau of Litigation
22 Public Safety Division

Attorneys for Defendant

23 **IT IS SO ORDERED.**


24 
25 **U.S. MAGISTRATE JUDGE**

26 **DATED:** 8/20/2018

CERTIFICATE OF SERVICE

I certify that I am an employee of the Office of the Attorney General, State of Nevada, and that on this 17th day of August, 2018, I caused to be deposited for mailing, a true and correct copy of the foregoing, **DEFENDANTS' MOTION FOR ENLARGEMENT OF TIME TO RESPOND TO PLAINTIFF'S CROSS-MOTION FOR SUMMARY JUDGMENT (ECF No. 37)**, on the following:

JOSE AGUILAR, #80140
ELY STATE PRISON
P.O. BOX 1989
ELY, NV 89301


An employee of the
Office of the Attorney General